

STATE OF MAINE
PUBLIC UTILITIES COMMISSION

Docket No. 98-026

March 23, 1999

PUBLIC UTILITIES COMMISSION
Inquiry into the Response by
Public Utilities in Maine to
the January 1998 Ice Storm

ORDER

WELCH, Chairman; NUGENT, and DIAMOND Commissioners

I. Summary

In this Order we revise Recommendation III -10 in our December 29, 1998 Order in this Inquiry.

II. Discussion and Decision

In our Order in this docket issued on December 29, 1998, we adopted the following recommendation:

RECOMMENDATION III-10. We will conduct an inquiry to evaluate whether a targeted line clearance approach (e.g., the Hazard Tree program adopted by Eastern Utility Associates) may be similarly cost-effective for Maine's utilities, and to identify ways of improving tree line clearance consistent with IHMT recommendations. As part of this inquiry, we will retain a consultant to organize a series of workshops with electric and telecommunications utilities, and federal, state, and local government agencies with an interest in these areas.

A companion recommendation requires the Commission to decide if legislative changes are necessary after this examination is complete.

Upon reviewing the recommendation, we believe an interagency effort is beyond the scope of what is necessary, at least initially, to determine whether a targeted line clearance approach, such as EUA's Hazard Tree program, would work in Maine. As an alternative, we direct Central Maine Power Company, Bangor Hydro-Electric

Company, Maine Public Service, Eastern Maine Electric Cooperative, and Bell Atlantic, to review Eastern Utilities Associate's Hazard Tree program and explain in a joint report to the Commission whether a targeted line clearance approach would be cost-effective in Maine. The report should be submitted by September 15, 1999. We will then decide whether such a program would implicate the interests other agencies and whether changes to legislation are necessary.

Therefore, Recommendation III - 10 is amended to read:

RECOMMENDATION III-10. We direct Bangor Hydro-Electric Company, Central Maine Power Company, Maine Public Service Company, Eastern Maine Electric Cooperative and Bell Atlantic to jointly examine the Hazard Tree Program adopted by Eastern Utility Associates and to report back by September 15, 1999, on whether a targeted line clearance approach would be cost-effective in Maine. The report should describe any legislative changes needed if such an approach is adopted. Following submission of the report, we will decide what further actions are necessary.

We also eliminate Recommendation III-13 as it is subsumed in new III-10.

Dated at Augusta, Maine this 23rd day of March 1999.

BY ORDER OF THE COMMISSION

Dennis L. Keschl
Administrative Director

COMMISSIONERS VOTING FOR: Welch
 Nugent
 Diamond

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1. Reconsideration of the Commission's Order may be requested under Section 1004 of the Commission's Rules of Practice and Procedure (65-407 C.M.R.110) within 20 days of the date of the Order by filing a petition with the Commission stating the grounds upon which reconsideration is sought.
2. Appeal of a final decision of the Commission may be taken to the Law Court by filing, within 30 days of the date of the Order, a Notice of Appeal with the Administrative Director of the Commission, pursuant to 35-A M.R.S.A. § 1320 (1)-(4) and the Maine Rules of Civil Procedure, Rule 73 et seq.
3. Additional court review of constitutional issues or issues involving the justness or reasonableness of rates may be had by the filing of an appeal with the Law Court, pursuant to 35-A M.R.S.A. § 1320 (5).

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